APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,996	07/07/2000	ALAIN MARBACH	SAA-42	6583

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EXAMINER
NAJJAR, SALEH

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
09/611,996</td><td>Applicant(s)
MARBACH ET AL.</td></tr>
<tr><td>Examiner
Saleh Najjar</td><td>Art Unit
2157</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>17 December 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   This action is responsive to the amendment filed on December 17, 2004. Claims

1, and 17 were amended. Claims 1-20 are pending.

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

3.   Claims 1-2, 5-9, 12, 17-20 are. Rejected under U.S.C. 103(a) as being

unpatentable over Lewis et al., U.S. Patent No. 6,255,943.

Lewis teaches the invention substantially as claimed including a method and

system for monitoring network devices by passing alarm objects from a monitoring

server to a client application (see abstract).

As to claim 1, Lewis teaches a method of providing notification to an operator of

a network having a server device and a network device located on the network, the

method comprising the steps of:

Monitoring the network device by said server device (see figs. 2-8; col. 4, lines

35-60, Leis discloses management servers 12 and 14 which pass objects in response to

detected alarms in network devices);

Detecting a signal within said server device, said signal received from the

network device (see col. 6,lines 35-65; col. 7, lines 55-65, Lewis discloses that alarm

conditions in the form of events are detected);

transmitting an object from said server device to a receiving device operably

connected to the network for notifying the operator, the object being responsive to the

signal (see figs. 2-8; col. 6-7, Lewis discloses that an object is transmitted to a client

application in response to detected events).

Lewis does not explicitly teach the limitation of an intelligent automation device. Lewis does teach that a management server is used to pass objects to client applications in response to detected network events (see figs. 2-4; col. 6-8).

It would have been obvious to one of ordinary skill n the art at the time of the invention to modify Lewis by specifying the management server as an intelligent automation device since the same functionality of automatically monitoring network devices is achieved.

As to claim 2, Lewis teaches the method of claim 1 wherein the receiving device comprises means for displaying the object (see figs. 5-8; col. 8, lines 25-65).

As to claim 5, Lewis teaches the method of claim 1 wherein the management server device is a programmable logic controller (see 6-8).

As to claim 6, Lewis teaches the method of claim I further including transmitting a response to the management server device (see col. 13, lines 20-45).

As to claim 7, Lewis teaches a notification system for a network having a network device located on the network, the notification system comprising:

a detector for monitoring the network device, the detector being operably connected to the network; a management server device operably connected and responsive to the detector, the management server device having an object; and a receiving device operably connected to the automation network, wherein the management server device transmits the object to the receiving device to notify the operator (see figs. 2-8; col. 4, lines 35-60, Leis discloses management servers 12 and 14 which pass objects in response to detected alarms in network devices)

Lewis does not explicitly teach the limitation of an intelligent automation device. Lewis does teach that a management server is used to pass objects to client applications in response to detected network events (see figs. 2-4; col. 6-8).

It would have been obvious to one of ordinary skill n the art at the time of the invention to modify Lewis by specifying the management server as an intelligent automation device since the same functionality of automatically monitoring network devices is achieved.

Lewis fails to teach the claimed limitation of a "sensor". Lewis does teach that detector servers receive and report alarms to the alarm notification manager (see col. 4, lines 40-60).

It would have been obvious to on one of ordinary skill in the art at the time of the invention to modify Lewis by specifying the detector server devices as sensor devices since the same functionality of detecting errors is achieved.

As to claim 8, Lewis teaches the notification system of claim 7 wherein the receiving device comprises a software module to interact with the management device (see figs. 2-17; col. 6-9).

As to claim 9, Lewis teaches the notification system of claim 7 wherein the receiving device has means for displaying the object (see figs. 22-17; col. 6-8).

As to claim 12, Lewis teaches the notification system of claim 7 wherein the server management device is a programmable logic controller (see col. 5-8).

Claims 17-20 do not teach or define any new limitations above claims 1-13, and 15 and therefore are rejected for similar reasons.

4.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis.

Lewis teaches the invention substantially as claimed including a method and system for monitoring network devices by passing alarm objects from a monitoring server to a client application (see abstract).

As to claim 13, Lewis teaches the system of claim 7 above.

Lewis fails to teach the limitations wherein the object is an XML object.

However, "Official Notice" is taken that the concept and advantages of using XML objects is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis by specifying XML objects.

One would be motivated to do so to provide an extremely simple dialect of SGML suitable for use on the World-Wide Web.

5.   Claims 3-4, 10-11, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis further in view of Mukaiyama et al., U.S. Patent No. 6,631,407 (referred to hereafter as Muk).

Lewis teaches the invention substantially as claimed including a method and system for monitoring network devices by passing alarm objects from a monitoring server to a client application (see abstract).

As to claim 3, Lewis teaches the method of claim 2.

Lewis fails to teach the limitation wherein the means for displaying the object is a web browser.

However, Muk teaches a device management network that uses Java applet technology to report network detected events (see abstract). Muk teaches using a browser to display an object in a network monitoring environment (see col. 5, lines 20-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis by specifying a browser in place of the client application to monitor network faults. One would be motivated to do so to allow for global monitoring of network faults using the Internet.

As to claim 4, Muk teaches the method of claim 3.

Lewis fails to teach the limitation wherein the wherein the object is a Java-like program.

However, Muk teaches a device management network that uses Java applet technology to report network detected events (see abstract). Muk teaches using a Java-like program to display network faults in a network monitoring environment (see col. 5, lines 20-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis by specifying a java applet object as the reported object in Lewis. One would be motivated to do so to allow for real-time monitoring of network faults using the Internet.

Claims 10-11 do not teach or define any new limitations above claims 3-4 and therefore are rejected for similar reasons.

As to claim 15, Lewis teaches the system of claim 7 above.

Lewis fails to teach the limitation wherein the wherein the object is an HTML object.

However, Muk teaches a device management network that uses Browser technology to report network detected events (see abstract). Muk teaches using a HTML objects to display network faults in a network monitoring environment (see col. 5, lines 20-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis by specifying a HTML object as the reported object in Lewis. One would be motivated to do so to allow for global monitoring of network faults using the Internet.

6.   Claims 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis further in view of Lee et al., U.S. Patent No. 6,336,137.

Lewis teaches the invention substantially as claimed including a method and system for monitoring network devices by passing alarm objects from a monitoring server to a client application (see abstract).

As to claims 14, and 16, Lewis teaches the method of claim 7.

Lewis fails to teach the limitation wherein the object is a wireless application protocol (WAP) and where the object is a WML language.

However, Lee teaches a network having clients communicate with a server over a wireless network (see abstract). Lee teaches communicating using a wireless application protocol (WAP) and where the object is a WML language (see col. 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis in view of Lee so that a wireless application protocol (WAP) and WML language objects are used for communications. One would be motivated to do so to allow wireless or thin clients efficient communication with a server.

7.   Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Saleh Najjar whose telephone number is (571)272-

4006.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (571) 272-4001.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Saleh Najjar

Primary Examiner / Art Unit 2157